

Remarks/Arguments

The Applicant and Applicant's attorney thank Examiners Frenel and Thomas for the courtesy of the interview on May 10, 2005. We both thought the interview was very helpful in moving the prosecution of this case forward.

Claim 1, and thus each of the claims that depend therefrom, have been amended to clarify the language in such claims. Claims 10-38 have been added to more explicitly claim variations of the invention recited in claim 1. In view of the amendments to the claims and the following remarks, it is Applicant's belief that claims 1, and 4-38 are now in a condition for allowance.

Claim Rejections – 35 USC § 103

Claims 1 and 4-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer et al. in view of Kobylevsky et al. Without conceding on any of the issues addressed in the response filed on July 23, 2004 or the Office Action mailed on November 16, 2004, claims 1 and 4-8 have been amended to expedite the prosecution of the application. More particularly, claims 1 and 4-8 have been amended as we discussed to more clearly describe the renewal request information being transmitted via the internet . . . such that the renewal request information is loaded within the web browser of the computer system and perceived by the health care provider. Kobylevsky et al., on the other hand, teaches in col. 6, lines 31-41 that a patient can leave a voice mail message with the pharmacy with the doctor's telephone number so that the pharmacist can call the doctor. As we discussed, Kobylevsky et al. does not teach the transmission of the renewal request information via the internet . . . such that the renewal request information is

loaded within the web browser of the computer system and perceived by the health care provider.

Other differences between the Applicant's inventive concepts and the combination of Boyer et al. and Kobylevsky et al. are set forth in newly added dependent claims 9-14. For example, claim 9 recites the step of determining whether the member health care provider identified by the previously filled prescription stored on the host system is logged onto the host system prior to the step of transmitting the renewal request information to the computer system associated with the member health care provider identified by the previously filled prescription stored on the host system. Kobylevsky et al. does not teach the step of transmitting the renewal request information to the computer system associated with the member health care provider, as recited in claim 1. Thus, Kobylevsky et al. certainly does not teach the step of determining whether the member health care provider is logged on prior to the step of transmitting as recited in claim 9.

As another example, claim 12 further defines the step of transmitting the renewal request to the computer system associated with the member health care provider to be preceded by the step of delivering, immediately after the renewal request information is received by the host system, the renewal request information to a message box associated with the host system for delivery to the member health care provider. As discussed with the Examiner, Kobylevsky et al.'s system does not appear to include any mechanism for causing the renewal request information to be delivered immediately or in real-time to the member health care provider.

Newly Added Claims

Claims 15-26 are similar to claims 1, and 4-14, with the exception that the host system is

defined further as storing passwords for verifying the identity of a plurality of member pharmacies, and also storing passwords for verifying the identity of a plurality of member health care providers. As discussed during the interview, Boyer et al. in view of Kobylevsky et al. do not appear to have any mechanism for verifying the identity of the health care provider. Moreover, the system of Boyer et al. does not provide for any login by the health care provider – the health care provider simply calls in the prescription, or provides a written prescription to the patient.

Claims 15-26 also recite the steps of:

receiving a login request from the web browser of a computer system;

verifying that the login request is associated with one of the member pharmacies;

receiving a login request from the web browser of another computer system;

verifying that the login request is associated with the member health care provider
identified by the previously filled prescription.

Claims 27-38 are similar to claims 15-26, with the exception that claims 27-38 further include the recitation that at least two of the member pharmacies are not affiliated with each other.

SUMMARY

The foregoing is intended to be a complete response to the Office Action mailed November 16, 2004. Should the Examiner have any comments or questions regarding the foregoing, Applicant's attorney would welcome a telephonic interview with the Examiner.

Respectfully submitted,



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